REMARKS

Claims 1-12, 14 remain in the application. Reconsideration of the application and allowance of all claims are respectfully requested in view of the following remarks.

Regarding the 35 USC 101 rejection stated in paragraph 1 of the Office action, claim 13 has been previously canceled, so the rejection applies only to claim 14. As to claim 14, that claim is directed to a computer readable medium having a stored program thereon. The recitation that the program code is such that when executed on a computer it will cause certain steps to be performed is not for the purpose of turning this into a method claim but rather to ensure that the material stored on the computer readable medium is not merely descriptive material. This is statutory subject matter according to court precedent and USPTO guidelines. See, for example MPEP 2106.01 at page 2100-17 citing *In re Lowry*.

This has been explained in previous responses. It is not clear from the remarks in the present Office action if the examiner read those remarks, since there is no acknowledgement of the traversal and no explanation as to why the MPEP and case precedent do not apply. If the rejection is to be maintained, further explanation would be appreciated.

The prior art rejection in paragraph 2 of the Office action is respectfully traversed. Ludtke is in the field of audio/video applications. In such a patent, a single Media Manager with user interface has to control a number of Audio/Video devices through a common SW interface. The format of data in the system is not homogeneous. In addition, converters should be provided in the Media Manager for adapting the data format. In order to perform such conversions and for

allowing the communication between the various devices, the Media Manager has to establish

connections between such devices and has to make a topological map of the network.

Such a network is not managed in a distributed mode. In fact, the intervention of the

Media Manager is always needed for establishing the connections between the devices and the

Media Manager. The object of Ludtke is providing a set of generic drivers for A/V products to

the Media Manager. In this way, a "logic" management of A/V devices is provided to each user,

without connection to the particular features of each of said devices.

In the present invention, the distributed control characteristics are highly exploited. The

various Agents act as providers (or consumers) of information. The information is formatted and

homogeneous without external interventions. Therefore, in contrast to Ludtke, a Media Manager

managing the whole network is not needed.

Turning to the specific allegations of the examiner, the examiner first refers to the

devices 12 and 13 as the claimed two control units, but 12 and 13 are a VCR and a set-top box,

i.e., devices being controlled. If these are indeed supposed to correspond to the claimed control

units, the examiner must identify a peripheral unit controlled by each of the VCR 12 or set-top

box 13. There are none. What is really happening in Ludtke is that the devices 12 and 13 are

controlled by device control modules , but these are software modules within the media manager

and are not connected to the control unit via a common bus.

The examiner cites to lines 32-37 of column 3 as supporting his assertion that Ludtke

teaches each control unit providing to the master controller information about data provided or

consumed by the peripheral device controlled by the control unit, but the cited passage simply

describes that the media manager decides if data to be transmitted to a particular physical device

needs to be translated. This has nothing to do with the claimed feature for which it is quoted. And having earlier identified the VCR 12 and set-top box 13 as the claimed control units, to satisfy the claim language the examiner should identify someplace in Ludtke which describes the VCR sending to the media manager information regarding data consumed and provided by a peripheral unit controlled by the VCR. There is no such description in Ludtke.

The examiner further refers to lines 17-20 of column 9, which describe that all normal events generated by a device go through the DCM to the event manager. But the DCM is not what the examiner has identified as the claimed control unit. And if the DCM is to be the claimed control unit, there is the problem that it is not coupled to the media manager via a common bus that also connects the various DCM's to one another.

The examiner cites to lines 24-27 of column 10 for a teaching of the spontaneous sending of a message over the bus whenever data provided by a peripheral unit varies. However, this passage of column 10 simply describes the event manager sending information to a DCM to tell the DCM what user input is occurring so that the DCM can control its device in accordance with the user input. This is not a discussion of the DCM sending messages onto a bus. And in any event the DCM is not what the examiner has identified as the claimed control unit, and could not because the DCM does not satisfy the claimed requirements for the control unit.

For the above reasons, it is submitted that claims 1-9, 11 and 14 patentably distinguish over Ludtke.

Claims 10 and 12 stand rejected as unpatentable over Ludtke in view of Zintel (USP 6,779,004). However, Zintel does not make up for the deficiencies in the teaching of Ludtke

with regard to the features missing in Ludtke as discussed above. Accordingly, claims 10 and 12 are allowable due to their dependence on claim 1.

US Patent 5,481,456 (Ogura) has been classified as a category X reference in a corresponding European application. Ogura does not teach or suggest the claimed invention.

Ogura provides that the communication is triggered by the master which is the only entity which is allowed to request/provide information from/to the slaves. On the contrary, in the present invention, the communication is "event driven". The communication is managed by both agent entities and manager entity in an equal/peer manner. Such a feature is reflected in the last paragraph of claim 1 which recites the control unit as spontaneously sending a message over the bus whenever data consumed and provided by a peripheral unit varies, and this does not happen in Ogura.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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5